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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

GARY STEPHEN MAYNARD,

Defendant.

CASE NO. 2:21-CR-0224 TLN

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
[PROPOSED] FINDINGS AND ORDER

DATE: December 16, 2021
TIME: 9:30 a.m.
COURT: Hon. Troy L. Nunley

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on December 16, 2021.
2. By this stipulation, defendant now moves to continue the status conference until February 10, 2022, and to exclude time between December 16, 2021, and February 10, 2022, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) Discovery associated with this case includes 12,061 pages of reports, photographs, and other documents. This number of discovery pages also includes pages that are placeholders for electronic data produced in native formats, such as video recordings. All of this discovery has been either produced directly to counsel and/or made available for inspection and

1 copying. The government and defense counsel also arranged for an in-person inspection of the
2 defendant's seized vehicle by a defense investigator, and the government has made available for
3 inspection all other physical items seized during the investigation.

4 b) Counsel for defendant desires additional time to review the voluminous
5 discovery, including reviewing reports, viewing videos and photographs, and examining other
6 electronic data and documents. In addition, counsel for the defendant desires additional time to
7 continue to conduct an independent defense investigation of the case.

8 c) Counsel for defendant believes that failure to grant the above-requested
9 continuance would deny her the reasonable time necessary for effective preparation, taking into
10 account the exercise of due diligence.

11 d) The government does not object to the continuance.

12 e) Based on the above-stated findings, the ends of justice served by continuing the
13 case as requested outweigh the interest of the public and the defendant in a trial within the
14 original date prescribed by the Speedy Trial Act.

15 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
16 et seq., within which trial must commence, the time period of December 16, 2021 to February
17 10, 2022, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local
18 Code T4] because it results from a continuance granted by the Court at defendant's request on
19 the basis of the Court's finding that the ends of justice served by taking such action outweigh the
20 best interest of the public and the defendant in a speedy trial.

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4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: December 10, 2021

PHILLIP A. TALBERT
Acting United States Attorney

/s/ MICHAEL D. ANDERSON
MICHAEL D. ANDERSON
Assistant United States Attorney

Dated: December 10, 2021

/s/ HANNAH LABAREE
HANNAH LABAREE
Counsel for Defendant
GARY STEPHEN MAYNARD

[PROPOSED] ORDER

IT IS SO FOUND AND ORDERED this ____ day of _____, ____.

THE HONORABLE TROY L. NUNLEY
UNITED STATES DISTRICT JUDGE